

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE EDUARDO VICTOR,

Defendant.

No. CR09-0075-LRR

**ORDER REGARDING MOTION
FOR SENTENCE REDUCTION
PURSUANT TO
18 U.S.C. § 3582(c)(2)**

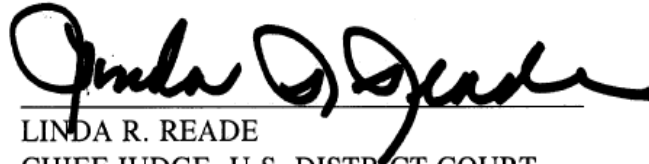
Regarding a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(2), the court held a hearing on May 6, 2015. Consistent with the findings that the court made during the hearing concerning Amendment 782 (subject to subsection (e)(1)), the court concludes that a reduction under 18 U.S.C. § 3582(c)(2) and USSG §1B1.10 is not justified. After thoroughly reviewing the defendant's file, the provisions and commentary of USSG §1B1.10, the factors set forth in 18 U.S.C. § 3553(a), the nature and seriousness of the danger to any person or community that may be posed by a reduction in the defendant's term of imprisonment and the defendant's post-sentencing conduct, the court declined to exercise its discretion under 18 U.S.C. § 3582(c)(2) and USSG §1B1.10.¹ Accordingly, the defendant's motion to reduce sentence (docket no. 88) is denied. The clerk's office is directed to send a copy of this order to the defendant and provide a copy of this order to appointed counsel, the office of the Federal Public Defender, the office of the United

¹ The court notes that the sentence that the defendant is currently serving is appropriate for multiple reasons. Those reasons include, but are not limited to, the following: the history and characteristics of the defendant, the defendant's poor institutional adjustment, which includes violence toward others, the need to protect the public and 87 months imprisonment is within the amended guideline range.

States Attorney and the office of United States Probation.

IT IS SO ORDERED.

DATED this 7th day of May, 2015.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA